

Name

Kimberly Shay Crossley
 740 E. Warm Springs Rd.
 Apt #116 Henderson, NV 89015
 (702) 413-9655

Home Prison Number

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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

Kimberly Shay Crossley (Mother)
 Plaintiff,
 DEON TRE'MANE EWING (Minor Son)
 VS.
 CLARK County School
 District And The
 CLARK County Juvenile
 Justice System
 Defendant(s).

RLH

CV-S-05-0526-PAL

CIVIL RIGHTS COMPLAINT
 PURSUANT TO
 42 U.S.C. § 1983

"JURY TRIAL DEMANDED"

A. JURISDICTION

- 1) This complaint alleges that the civil rights of Plaintiff, Kimberly Shay Crossley
 (Print Plaintiff's name)

who presently resides at 740 E. Warm Springs Rd., were
Apt #116 Henderson, NV 89015
 violated by the actions of the below named individuals which were directed against

Plaintiff at C.T. Sewell Elementary School Henderson, NV 89015
 (institution/city where violation occurred)
Clark County Juvenile System, Las Vegas, NV
Denying Child of A Field Trip, and
 (Count I) (Count II) (Count III)

Repeatedly disciplining
 child during February 2004
 resulting in 43-day suspension
 on March 2, 2004
 Count II

Denying Child's Request
 for a transfer from
 C.T. Sewell Elementary
 to his home school to
 Robert Taylor Elementary
 on March 9, 2004
 Count III 9

Disciplinary action on 1/23/04 for an incident between my son and his physical education teacher. He allegedly grabbed my child and left a mark on his arm.

Count III 4
On January 23, 2004, a teacher disciplined my child by telling him to "get his big fat black face" in the corner; Count III 5

Make a copy of this page to provide the below information if you are naming more than five (5) defendants

2) Defendant Denise Murray resides at 700 E Lake Mead Dr.
(full name of first defendant) (address if first defendant) HENDERSON, NV 89015
and is employed as SCHOOL PRINCIPAL. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: AS THE PERPETRATOR Abusive
Authority for a School Principal And denied my son
of a proper Education

3) Defendant Kelly Ann Epperson resides at 1054 NOBLE ISLE Street
(full name of first defendant) (address if first defendant) HENDERSON, NV 89015
and is employed as MATH Teacher 5th grade. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: Physically and mentally abused my son
Harassed my son and denied him of his rights.

4) Defendant LAURA MARIE Pizzuto resides at 1532 KNOLL HEIGHTS Court
(full name of first defendant) (address if first defendant) N. LAS VEGAS, NV 89032
and is employed as Writing Teacher 5th grade. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: Mentally abused my son, Harassed my son
With Authority Intimidation and denied him of his rights.
In the classroom with denied access to books

5) Defendant LARRY S. KINGSLEY resides at 2375 THAYER, HENDERSON
(full name of first defendant) (address if first defendant) NV 89014
and is employed as PG. TEACHER 5th grade. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: Physically and mentally abused my
son with cruelty to a minor.

2) Defendant Under Rosenberg 700 E. Lake Mead Dr.
Reading Teacher Henderson, NV. 89015
Individual Official Capacity
Under Color of Law Denied my son of a field trip on
February 23, 2004.
6) Defendant Ms. Hobbs resides at 700 E. Lake Mead Dr.
(full name of first defendant) (address if first defendant) Henderson NV
and is employed as 2nd Grade Teacher. This defendant is sued in his/her 89015
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: Used A racial Slap towards my son
In front of a group of 2nd second graders in the Classroom.

7) Jurisdiction is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional statutes, list them below.

Defendant, B.N.S. #183 TITLE CCS DPD School Police
Booking Officer The Clark County School District
Individual Official Capacity
Under Color of Law: Handcuffed my son behind his back for
Hours and threatened to pepper spray my son in his face.
B. NATURE OF THE CASE Cruelty to A minor.

1) Briefly state the background of your case.
THE Clark County School District of
The C.T. Sewell Elementary School located at
700 E. Lake Mead Dr. Henderson, NV. 89015.
Retaliated against my son by having him
arrested by the police for the March 24, 2004
Incident by throwing my son into the juvenile
system with use of malice tactics because
I had filed an earlier discrimination complaint
with the U.S. Department of Education, Office of
Civil Rights, And its Parent Complaint form with the
Clark County School District earlier. And I also
Reported the unfairness and injustis And lack
of Equal Education to The NAACP Headquarters
In Baltimore, Maryland.
C. CAUSE OF ACTION
And treated differently than the other children because
of his race and color of skin.

COUNT I

The following civil rights has been violated:

Denied Child of
a School Field Trip on February 23, 2004

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

MS. Linda Rosenberg, denied my son
DEON TREMANE GUNN OF a School Field
Trip on February 23, 2004. The denied
Field Trip to the Silver Bowl Stadium
for the Festival of Cultural of Arts
was devastating to my son. It especially
meant a lot to him at that time because
he was so excited to be going and given
written consent by his mother, Kimberly
Shay Cross (D) two weeks in advance
and his Field Trip was paid for (D) two
weeks in advance.

Not to mention, my son is an inspiring
professional artist. He has been drawing
ever since he was in kindergarten. So, of
course this particular Field Trip meant a lot
to him. The denied Field Trip was very very
devastating to my 11 eleven year old son.

COUNT II

The following civil rights has been violated:

Repeatedly Disciplining
My Son during February 2004 Resulting in
a 3 Day Suspension on March 2, 2004

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

Ms. Denise Murray, School Principal
 Continued Suspended my son, RPO Required
 Parent Conference all the time. My son was always
 Out of School all the time, more than
 he was in School and without a Major
 Holiday. These types of Injustices caused
 and resulted my son of not getting a
 proper education. My child grades
 were failing and dropping lower because
 each time he would try and get caught up
 or stay caught up with his home work
 assignments or classwork. This School
 Principal would always kick my son out
 of School almost (3) three times a week.
 My son would be lucky if he had gotten a
 chance to go to School and attend School
 almost (5) five days per week, with No interruption
 or Harassment or Intimidation or Kidnapping
 by the Staff.

COUNT III

The following civil rights has been violated:

Denying Child's Request
for a Transfer from G.T. Sewell Elementary
School to Robert Taylor Elementary School on March 4,
2004

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

Dr. Dobry of Robert Taylor Elementary School denied my son, Dean, Tremaine Ewurmi the right to attend her school on March 4, 2004. Calling my home that late evening when my mother, Annette Crossley, answered the telephone while I was at work. Dr. Dobry told my mother that she cannot accept Dean Ewurmi into her school. The grandmother, Annette Crossley, asked why. Dr. Dobry replied that it was because of the concern for my child's safety on the city bus by himself, even though the new school is only just one mile up the street. The grandmother, Annette Crossley, asked Dr. Dobry are you sure that G.T. Sewell Elementary School didn't have anything to do with the influence of your decision? Dr. Dobry replied, NO. My own mother, Annette Crossley, feels as though the two school principal obviously collaborated together to block the transfer.

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you filed other actions in state or federal courts involving the same or similar facts as involved in this action? ___ Yes ☒ No. If your answer is "Yes", describe each lawsuit. (If more than one, describe the others on an additional page following the below

outline).

- a) Defendants: _____
- b) Name of court and docket number: _____
- c) Disposition (for example, was the case dismissed, appealed or is it still pending?):

- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

- 2) Have you filed an action in federal court that was dismissed because it was determined to *N/A* be frivolous, malicious, or failed to state a claim upon which relief could be granted?
 ___ Yes ☒ No. If your answer is "Yes", describe each lawsuit. (If you had more than three actions dismissed based on the above reasons, describe the others on an additional page following the below outline.)

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____
- c) The case was dismissed because it was found to be (check one): ___ frivolous
___ malicious or ___ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____

- c) The case was dismissed because it was found to be (check one): _____ frivolous
 _____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: _____
- b) Name of court and case number: _____
- c) The case was dismissed because it was found to be (check one): _____ frivolous
 _____ malicious or _____ failed to state a claim upon which relief could be granted.
- d) Issues raised: _____

- e) Approximate date it was filed: _____
- f) Approximate date of disposition: _____

- 3) Have you attempted to resolve the dispute stated in this action by seeking relief from the proper administrative officials, e.g., have you exhausted available administrative grievance procedures? ☒ Yes ☐ No. If your answer is "No", did you not attempt administrative relief because the dispute involved the validity of a: (1) _____ disciplinary hearing; (2) _____ state or federal court decision; (3) _____ state or federal law or regulation; (4) _____ parole board decision; or (5) _____ other _____

If your answer is "Yes", provide the following information. Grievance Number 1004.1072
 Date and institution where grievance was filed FEBRUARY 20, 2004, OCTOBER 19, 2004
GRIEVANCE NUMBER 10041201, FILED BY THE UNITED STATES
DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS

Response to grievance:

FEBRUARY 20, 2004, I RECEIVED AN ACKNOWLEDGEMENT
OFFICIAL LETTER head letter, STATING THAT THEY ARE
CURRENTLY REVIEWING THE INFORMATION CONTAINED
IN MY COMPLAINT

4/20/05
Mrs. Kimberly Shay Crossley
740 E. Warm Springs Rd.
Apt #116
HENDERSON, NV. 89015

UNITED STATES
DISTRICT COURT OF
NEVADA.

DEAR: THE Honorable
Judge Appointed,

I, Kimberly Shay Crossley would
like to Request for a motion for
Permission to leave the Court.
The fact that I have additional
pages added to my Formal 1983
Civil Rights Complaint. Your Honor
I have tirelessly and relentlessly
tried to get some sort of relief
from these Defendants. I have properly
filed my Complaints on Time. I apologize
for the additional pages. I ask that
you please accept my Formal Complaint. Sincerely
Thank you for your cooperation
Mrs. Kimberly Shay Crossley

COUNT 4 IIII

Disciplining Child on March 18, 2002
for an incident between my son
and his Physical Education teacher
who allegedly grabbed my child
and left a mark on his arm.

MR. LARRY S. Kingsley, physically
grabbed my son by his left arm
and leaving finger prints into his
skin. Child came home and
told me as the mother. I
Immediately contacted G.T. Seiver
Elementary School and spoke with
the Principal, Denise Murray. She
asked the name of the teacher and
when did it happen and where did
it happen. I gave her the efficient
information that she needed. And
she said that she would have a talk
with Mr. Kingsley first thing, the
very next morning.

Counts.

On January 23, 2004, A teacher disciplined my child by telling him to "get his big fat Black face" in the corner.

Mrs. Hobbs, a 2nd grade teacher in which Coach Rose had taken my son into this particular classroom. Claiming that he could not find her locate my sons 5th grade teachers. Due to an alleged incident between my son and another child, whereas the 2nd grade teacher, Mrs. Hobbs, use a racial slur towards my son and told him to "get his big fat black face over into the corner. My son came home and told me as the mother about Mrs. Hobbs. I immediately reported the incident to the Assistant School Superintendent, Dr. Carolyn Hedden. She arranged a meeting for me to meet with the alleged teacher Mrs. Hobbs, which I did. Mrs. Hobbs denied her actions. However she apologize to my son with a hug.

Count 6. He was given failing grades, BIAS in grading.

C. T. Sewell Elementary 5th grade Teachers assigned to my child. Would always send home a Progress Report every (2) two weeks. Whereas my child's grades would go from 'a B to A D' in just (5) days apart. There was a clear indication of: Incompetency, Lack of proper Training, and Questionable professionalism. Possible Lack of Certification to teach in the first place. I did request for proof of Credentials on papers by The Assistant Superintendent, Dr. Carolyn Keeton. Unfortunately, I never could see proof of their Credentials. In Question, Still.

Continues

He was given failing grades
Count 6 TTTTT

He was disciplined in an
isolation room without my parental
permission

Count 7 TTTTT

my son DEON EMMI was involved
in play Ground scuffle from
playing Basketball with another
youngster in his class... THE
STAFF'S Ran out To recreation
YARD with In Competency, Inefficiency
And Inexcusable Negligence Of their Duty
by performing ABUSE OF Authority
toward my son... on MARCH 24, 2004
Count 8 TTTTT

My son TAKEN IN Handcuffed From
Behind his back For Hours By Henderson
Police Department And were Threatened By
Female P.D. That she will pepper spray my
Child if he tries to get out of the handcuffs
Count 9 TTTTT

Continues

While my son was in custody
my son was Stripped Searched.
Without Parent Present's. And
Also finger printed in a unlawful
Manner.

Count 10 TTTTTTTTTT

C. T. Sewell Elementary School
Unfairly (KPCS) Required Parent
Conference, Suspended my child
for 3 three days with a notice
And at the same time had my
son arrested. All on the same
Exact Date of March 24, 2004

Count 11 TTTTTTTTTT

The C. T. Sewell Elementary School
Abused their Authority by choosing
to just have my son arrested and
calling the police on my son. Instead
of choosing the proper professional
way of just contacting the mother
and grandmother to just come by the
School and pick up my son in the first place

Count 12 TTTTTTTTTT

Continues
9) Defendant THE Clark County Juvenile
System 601 N. Pecos Rd.
LAS Vegas, NV.

The Strip-SEARCHER
And Finger printer

✓ Individual ✓ Official Capacity
Under Color of Law: Unlawfully And
Illegally Stripped Searched a minor
And Finger printed my son without
my presents Under the Law.

10) Defendant. Terry Treehill, THE Clark
probation officer County Juvenile
System 601 N. Pecos
Under Color of Law: Denied a copy of a ^{Las Vegas, NV} Police Report on the alleged day of
The March 24, 2004 Incident, with use
of malice tactics. Giving The Juvenile
System ample amount of time to
manufacture a story or a theory
without facts before an official
Police report was given to me, on
March 24, 2004. I reported the Clark
County Juvenile System misconduct to my
U.S. Congressman Son C. Porter as a
Constituent. In his office.

11. Defendant DR. DOBAY, School Principal
Robert Taylor Elementary
Resides at 400 McNeil Dr. Henderson,
N. NV
Individual ✓ Official Capacity ✓
Under Color of Law: Wrongfully denied
my son, Deon TRE'MANE Elvini, the
Right under LAW to attend
Robert Taylor Elementary under
A Zone Variance Request form
Of a Transfer.

12. Defendant DAVE DEMARCO,
Detention Manager of
The Clark County Juvenile, located
at 651 N. Pecos Rd. Las Vegas, NV
89101
Individual ✓ Official Capacity ✓
Under Color of Law: Spoke with
the Detention Manager during
the month of April of 2004. Just
Briefly over the telephone to ask the
names of the individual juvenile county
employees who unlawfully stopped, search
my child and fingerprinted my child. All
without my present. In a child molesting
manner

12. Continues By Defendant DAVE
Demarco, Detention Manager.
DAVE Demarco had refused to
give me the names of His Strip
Searches And Fingerprints. He told
me that he cannot give me those
names. I then asked if DAVE Demarco
could send me a Complaint Form. He
told me that he does not have
any Complaint Forms to give me.
Because I wanted to file a Formal
Complaint of how my Child, Deon Terrence
Ewymi was illegally and improperly
Handled. By His Juvenile Staff Employees.

13. Defendant Carlos Arturo Garcia
Superintendent, 2832 E. Flamingo
Ave. Las Vegas, NV. 89121 OF The CLARK
County School District
On August 26, 2004. The Superintendent
Carlos Arturo Garcia was sent a VIA
FIRST CLASS & CERTIFIED MAIL return
Receipt Requested. By The Law Office
OF DEMPSEY, ROBERTS & SMITH, LTD
OF 520 South Fourth Street, Suite 360

13. Continues, Las Vegas, NV. 89101.
 A Legal Form letter was addressed
 on my behalf. Asking a Demand
 is hereby made upon me for the
 Sum of \$50,000.00 as ReStitution
 for the mental and physical damages
 resulting from the deprivation
 of my son, Dean Civil Rights. Payment
 should be made within thirty (30)
 days of the date of the letter
 directly to me, Kimberly Crossley
 at the address shown below.
 Carlos Arturo GARCIA, Superintendent
 Failed to Comply.

14. Defendant: Board of School
 Trustees of The Clark County
 located at ~~2832~~ E. Flamingo, Las Vegas,
 NV. 89121.

On September 15, 2004.
 A 2 two page letter was faxed over
 to All Board members by The Office
 Staff on my behalf. Asking that the
 Elected Board members, immediately
 Remove the following employees of F.C.T.
 Sewell Elementary School. Those names were

Continues
 19. Stated, AS Follows. Denise Murray,
 Mrs. Kelly Ann Epperson, Laura Marie
 Riguto, Mr. Solomon, Mr. Larry S.
 Kingley, Linda Rosenberg, Mrs. Sylvia
 the Office Manager at C.T. Sewell,
 And HEATHER, the other office Clerk
 at C.T. Sewell. who participated
 In the whole Conspiracy of
 Retaliating against my Child,
 Right after I had filed a formal
 Complaint months In advanced
 against them All. With The
 Clark County School District
 And the U.S. Department of Education.